

4556
1 BILL NO. G-79-08-20

2 GENERAL ORDINANCE NO. G- 23-80

3 AN ORDINANCE amending General Ordinance
4 No. G-97 by authorizing the vacation of
a portion of Kinnaird Street.

5
6 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,
7 INDIANA:

8 SECTION 1. Petition for the vacation of a certain street having
9 been filed with the Fort Wayne City Plan Commission in accordance with
10 Section 44, Chapter 174, of the Acts of the General Assembly of the State
11 of Indiana, as amended by Section 3, Chapter 385, of the Acts of 1963 of
12 the General Assembly of the State of Indiana (I.C. 18-7-5-46), the
13 Thoroughfare Plan as set forth in General Ordinance No. G-97 adopted by
14 the Common Council of the City of Fort Wayne on November 26, 1963, is
15 amended by deleting the following street, to wit:


16 That portion of Kinnaird Avenue between the east right-of-
17 way line of Brooklyn Avenue and the west right-of-way line
of Vesey Avenue within the City of Fort Wayne, Allen County,
Indiana, more particularly described as follows, to-wit:

18 Beginning at the northwest corner of Parcel No. 3 of
19 Hohnhausen's Subdivision of part of the northwest
fractional quarter of Section 15, Township 30 North,
20 Range 12 East, according to the plat thereof recorded
in Plat Book 14, Page 29; thence north along the east
21 right-of-way line of Brooklyn Avenue a distance of
50 feet to the southwest corner of Lot No. 6 in Staley's
22 Subdivision, according to the recorded plat thereof,
thence east along the south line of said Lot No. 6 and
the south line of Parcel 1 of said Hohnhausen's
23 Subdivision to the southeast corner of said Parcel No. 1;
thence south along the west right-of-way line of Vesey
24 Avenue a distance of 77.6 feet to a point on the north
line of said Parcel No. 3; thence northwesterly and
25 westerly along said north line of said Parcel to the
point of beginning.

26 SECTION 2. After passage of this Ordinance, approval by the
27 Mayor and legal publication, a duly certified copy of this Ordinance, of
28 the recommendation of the Fort Wayne City Plan Commission, and of the
29 action of the Mayor, shall be transmitted by the City Clerk to the Board
30 of Public Works of the City of Fort Wayne, Indiana.

31 SECTION 3. That this Ordinance shall be in full force and effect
32 from and after its passage, approval by the Mayor and legal publication
thereof.

APPROVED AS TO
FORM & LEGALITY


William N. Salin, City Attorney


Samuel P. Talarion
Councilman

Read the first time in full and on motion by _____, seconded by _____, and duly adopted, read the second time by title and referred to the Committee _____ (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, 19____, the _____ day of _____, at _____ o'clock _____ M., E.S.T.

DATE: _____

CHARLES W. WESTERMAN
CITY CLERK

Read the third time in full and on motion by E. Schmitt, seconded by Nuckols, and duly adopted, placed on its passage. PASSED ~~(lost)~~ by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	_____	_____	<u>1</u>	_____
<u>BURNS</u>	<u>X</u>	_____	_____	_____	_____
<u>EISBART</u>	<u>X</u>	_____	_____	_____	_____
<u>GiaQUINTA</u>	<u>X</u>	_____	_____	_____	_____
<u>NUCKOLS</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	_____	_____	<u>X</u>	_____
<u>SCHMIDT, V.</u>	<u>X</u>	_____	_____	_____	_____
<u>SCHOMBURG</u>	<u>X</u>	_____	_____	_____	_____
<u>STIER</u>	<u>X</u>	_____	_____	_____	_____
<u>TALARICO</u>	<u>X</u>	_____	_____	_____	_____

DATE: 11-25-80

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING-MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. Y-23-80 on the 25th day of November, 1980.

ATTEST:
Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

(SEAL)
Vivian G. Schmitt
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 26th day of November, 1980, at the hour of 2:30 o'clock 8 M., E.S.T.

Charles W. Westerman
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 4th day of December 1980, at the hour of 10:30 o'clock 8 M., E.S.T.

Winfield C. Moses, Jr.
WINFIELD C. MOSES, JR.
MAYOR

Read the first time in full and on motion by Salness, seconded by

Starr, and duly adopted; read the second time by title and referred to the Committee on Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on _____, the _____ day of _____, 19____ at _____ o'clock _____ M., E.S.T.

DATE: 8-14-75.

Charles W. Westerman
CITY CLERK

Read the third time in full and on motion by _____,

seconded by _____, and duly adopted, placed on its passage.

PASSED (LOST) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	_____	_____	_____	_____	_____
<u>BURNS</u>	_____	_____	_____	_____	_____
<u>HINGA</u>	_____	_____	_____	_____	_____
<u>HUNTER</u>	_____	_____	_____	_____	_____
<u>MOSES</u>	_____	_____	_____	_____	_____
<u>NUCKOLS</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, D.</u>	_____	_____	_____	_____	_____
<u>SCHMIDT, V.</u>	_____	_____	_____	_____	_____
<u>STIER</u>	_____	_____	_____	_____	_____
<u>TALARICO</u>	_____	_____	_____	_____	_____

DATE: _____

CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (GENERAL) (ANNEXATION) (SPECIAL) (APPROPRIATION) ORDINANCE (RESOLUTION) No. _____ on the _____ day of _____, 19____,
ATTEST: (SEAL)

CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

MAYOR

RESOLUTION 70-33-12

WHEREAS, COVERALL RENTAL SERVICE, INC., and GOODWILL INDUSTRIES, INC., have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street situated in Fort Wayne, Allen County, to-wit:

That portion of Kinnaird Avenue between the east right-of-way line of Brooklyn Avenue and the west right-of-way line of Vesey Avenue within the City of Fort Wayne, Allen County, Indiana, more particularly described as follows, to-wit:

Beginning at the northwest corner of Parcel No. 3 of Hohnhausen's Subdivision of part of the northwest fractional quarter of Section 15, Township 30 North, Range 12 East, according to the plat thereof recorded in Plat Book 14, Page 29; thence north along the east right-of-way line of Brooklyn Avenue a distance of 50 feet to the southwest corner of Lot No. 6 in Staley's Subdivision, according to the recorded plat thereof, thence east along the south line of said Lot No. 6 and the south line of Parcel 1 of said Hohnhausen's Subdivision to the southeast corner of said Parcel No. 1; thence south along the west right-of-way line of Vesey Avenue a distance of 77.6 feet to a point on the north line of said Parcel No. 3; thence northwesterly and westerly along said north line of said Parcel to the point of beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA }
COUNTY OF ALLEN } SS:

I, Mark L. Akers, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held November 5, 1980 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 5th DAY OF November 19 80

FORT WAYNE BOARD OF PUBLIC WORKS

Mark L. Akers
Mark Akers, Chairman

Herbert R. Gamache
Herbert R. Gamache, Member

Roberta Anderson-Staten
Roberta Anderson-Staten, Member

RESOLUTION

WHEREAS, COVERALL RENTAL SERVICE, INC., and GOODWILL INDUSTRIES, INC., have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street situated in Fort Wayne, Allen County, to-wit:

That portion of Kinnaird Avenue between the east right-of-way line of Brooklyn Avenue and the west right-of-way line of Vesey Avenue within the City of Fort Wayne, Allen County, Indiana, more particularly described as follows, to-wit:

Beginning at the northwest corner of Parcel No. 3 of Hohnhausen's Subdivision of part of the northwest fractional quarter of Section 15, Township 30 North, Range 12 East, according to the plat thereof recorded in Plat Book 14, Page 29; thence north along the east right-of-way line of Brooklyn Avenue a distance of 50 feet to the southwest corner of Lot No. 6 in Staley's Subdivision, according to the recorded plat thereof, thence east along the south line of said Lot No. 6 and the south line of Parcel 1 of said Hohnhausen's Subdivision to the southeast corner of said Parcel No. 1; thence south along the west right-of-way line of Vesey Avenue a distance of 77.6 feet to a point on the north line of said Parcel No. 3; thence northwesterly and westerly along said north line of said Parcel to the point of beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on September 17, ¹⁹⁷⁹~~1980~~, at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street.

WHEREAS, said vacation of the street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said street hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said street in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Joyce Schlatter, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held October 27, 1980, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 30th DAY OF October 19 80

FORT WAYNE CITY PLAN COMMISSION

u. Joyce Schlatter

Joyce Schlatter
Secretary

RESOLUTION 70-33-12

WHEREAS, COVERALL RENTAL SERVICE, INC., and GOODWILL INDUSTRIES, INC., have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street situated in Fort Wayne, Allen County, to-wit:

That portion of Kinnaird Avenue between the east right-of-way line of Brooklyn Avenue and the west right-of-way line of Vesey Avenue within the City of Fort Wayne, Allen County, Indiana, more particularly described as follows, to-wit:

Beginning at the northwest corner of Parcel No. 3 of Hohnhausen's Subdivision of part of the northwest fractional quarter of Section 15, Township 30 North, Range 12 East, according to the plat thereof recorded in Plat Book 14, Page 29; thence north along the east right-of-way line of Brooklyn Avenue a distance of 50 feet to the southwest corner of Lot No. 6 in Staley's Subdivision, according to the recorded plat thereof, thence east along the south line of said Lot No. 6 and the south line of Parcel 1 of said Hohnhausen's Subdivision to the southeast corner of said Parcel No. 1; thence south along the west right-of-way line of Vesey Avenue a distance of 77.6 feet to a point on the north line of said Parcel No. 3; thence northwesterly and westerly along said north line of said Parcel to the point of beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 18-7-5-46; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of public street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public street hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)

COUNTY OF ALLEN } SS:

I, Mark L. Akers, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held November 5, 1980 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 5th DAY OF November 19 80

FORT WAYNE BOARD OF PUBLIC WORKS

Mark L. Akers
Mark Akers, Chairman

Herbert R. Gamache
Herbert R. Gamache, Member

Roberta Anderson-Staten
Roberta Anderson-Staten, Member

RESOLUTION

WHEREAS, COVERALL RENTAL SERVICE, INC., and GOODWILL INDUSTRIES, INC., have petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public street situated in Fort Wayne, Allen County, to-wit:

That portion of Kinnaird Avenue between the east right-of-way line of Brooklyn Avenue and the west right-of-way line of Vesey Avenue within the City of Fort Wayne, Allen County, Indiana, more particularly described as follows, to-wit:

Beginning at the northwest corner of Parcel No. 3 of Hohnhausen's Subdivision of part of the northwest fractional quarter of Section 15, Township 30 North, Range 12 East, according to the plat thereof recorded in Plat Book 14, Page 29; thence north along the east right-of-way line of Brooklyn Avenue a distance of 50 feet to the southwest corner of Lot No. 6 in Staley's Subdivision, according to the recorded plat thereof, thence east along the south line of said Lot No. 6 and the south line of Parcel 1 of said Hohnhausen's Subdivision to the southeast corner of said Parcel No. 1; thence south along the west right-of-way line of Vesey Avenue a distance of 77.6 feet to a point on the north line of said Parcel No. 3; thence northwesterly and westerly along said north line of said Parcel to the point of beginning.

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of 1963 of the General Assembly of the State of Indiana, Indiana Code, Section 18-7-5-46.

WHEREAS, notice of such public hearing has been given by due and proper publication thereof; and,

WHEREAS, said public hearing was held on September 17, 1980, at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public street.

WHEREAS, said vacation of the street has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said street hereinbefore described conforms to the general policy/pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public street hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public street or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of said street in Allen County, Indiana.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

I, Joyce Schlatter, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held October 27, 1980, and as the same appears of record in the official records of said Plan Commission.

DATED THIS 30th DAY OF October 19 80

FORT WAYNE CITY PLAN COMMISSION

W. Joyce Schlatter

Joyce Schlatter
Secretary

DISTRIBUTION EASEMENT

Indiv. & Corp.

W.O. No. _____

Eas. No. _____

Map No. _____

Overhead & Underground

THIS INDENTURE, made this 20th day of October, 19 80,
between Goodwill Industries, Inc.

whose address is _____

(hereinafter called "Grantor"), and INDIANA & MICHIGAN ELECTRIC COMPANY, an Indiana Corporation
whose address is 2101 Spy Run Avenue, Fort Wayne, Indiana, (hereinafter called "Grantee").

WITNESSETH: That for One Dollar (\$1.00) and other good and valuable considerations in hand paid, the receipt of which is hereby acknowledged, Grantor does hereby grant and convey to Grantee a right-of-way and easement for the construction, operation, use, maintenance, repair, renewal, and removal of a line or lines of overhead and underground facilities and equipment for the transmission of electrical energy, including the right to permit attachments of others to said facilities, in, on, along, under, over, across, and through the following described premises situated in Wayne Township, County of Allen, State of Indiana, and being a part of Section 15, Township 30 N, and Range 12 E, to-wit:

Part of the Northwest fractional Quarter of said Section 15
and further described as follows:

The North 25 feet of the West 500 feet of that part of
vacated Kinnaird Avenue lying east of Brooklyn Avenue;
said 25 feet also being described as a strip of land
25 feet in width lying south of and adjacent to the
following described line:

Beginning at the Southwest corner of Lot #6 in
Staleys Subdivision; thence extending east along
the south line of said Lot #6 and the south line
of Parcel #1 in Hohnhausens Subdivision a dis-
tance of 500 feet in all.

The grantors reserve the use of said strip of land not
inconsistent herewith.

TOGETHER with the right of ingress and egress to, from, and over said Premises, and also
the right to cut or trim any trees and bushes which may endanger the safety or interfere with the construc-
tion and use of said power line.

Grantee shall promptly repair or replace all physical damages on the Premises proximately
caused by the construction, operation and maintenance of Grantee's Facilities.

It is agreed that the foregoing is the entire contract between the parties hereto and that
this written agreement is complete in all its terms and provisions and shall be binding on their respective
representatives, heirs, successors, and assigns.

IN WITNESS WHEREOF, Grantor, if individual(s), ha _____ hereunto set _____ hand _____;
and if corporation, has caused its corporate name and seal to be affixed by its duly authorized officers,
the day first above written.

GOODWILL INDUSTRIES, INC. OF FORT WAYNE

Signed, Sealed and Delivered in Presence of

ATTEST:

Kenneth B. Keller
(Kenneth Keller) Secretary
Goodwill Industries, Inc. of Fort Wayne

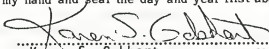
Ralph E. Sheets
(Ralph E. Sheets) President

STATE OF INDIANA }
County of... ALLEN } ss:

Be it remembered that on the 25th day of October, 1980, before the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared Ralph E. Sheets, the President of the and Kenneth Kellar, the Secretary of the Company, and acknowledged the execution of the foregoing instrument on behalf of said Company, as the voluntary act and deed of said Company for the uses and purposes therein set forth, and said officer, having been duly sworn, swears that the statements contained therein relating to Indiana gross income tax are true.
*of Goodwill Industries of Fort Wayne, Inc.,

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.
My Commission Expires

February 14, 1981
Resident of Allen County


Karen S. Gebhart
Notary Public

STATE OF MICHIGAN, }
County of... } ss:

On This day of
in the year of our Lord one thousand nine hundred and in and for said County
before me, a in and for said County
appeared..... to me personally
known, who, being by me duly sworn, did..... say that
the
of
the corporation named in and which executed the within instrument, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and said
acknowledged said instrument to be the
free act and deed of said corporation.

Notary Public, County, Michigan
My commission expires , 19.....

STATE OF INDIANA }
County } ss:

Before me....., a Notary Public in and for said
County and State, this day of , 19....., personally appeared
the above named
and acknowledged the execution of the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this day and year above written.

Notary Public.

My commission expires , 19.....

STATE OF MICHIGAN }
County of... } ss:

On this day of , 19....., before me personally appeared
to me known to be the person described in and who executed the within instrument, and acknowledged
that executed the same as free act and deed.

....., Notary Public
..... County, Michigan
My commission expires , 19.....

DISTRIBUTION EASEMENT

Indiv. & Corp.

Overhead & Underground

W.O. No. _____ Eas. No. _____ Map No. _____

THIS INDENTURE, made this _____ day of September, 1980,
between Coverall Rental Service, Inc.

whose address is _____

(hereinafter called "Grantor"), and INDIANA & MICHIGAN ELECTRIC COMPANY, an Indiana Corporation
whose address is 2101 Spy Run Avenue, Fort Wayne, Indiana, (hereinafter called "Grantee").

WITNESSETH: That for One Dollar (\$1.00) and other good and valuable considerations in hand paid, the receipt of which is hereby acknowledged, Grantor does hereby grant and convey to Grantee a right-of-way and easement for the construction, operation, use, maintenance, repair, renewal, and removal of a line or lines of overhead and underground facilities and equipment for the transmission of electrical energy, including the right to permit attachments of others to said facilities, in, on, along, under, over, across, and through the following described premises situated in Wayne Township, County of Allen, State of Indiana, and being a part of Section 15, Township 30 N, and Range 12 E, to-wit:

Part of the Northwest fractional Quarter of said Section 15
and further described as follows:

The South 25 feet of the West 500 feet of that part
of vacated Kinnaid Avenue lying east of Brooklyn
Avenue and further described as being a strip of
land 25 feet in width lying North of and adjacent
to the West 500 feet of the North line of Parcel
#3 in Hohnhausens Subdivision.

The grantors reserve the use of said strip of land not
inconsistent herewith.

TOGETHER with the right of ingress and egress to, from, and over said Premises, and also
the right to cut or trim any trees and bushes which may endanger the safety or interfere with the construction and use of said power line.

Grantee shall promptly repair or replace all physical damages on the Premises proximately
caused by the construction, operation and maintenance of Grantee's Facilities.

It is agreed that the foregoing is the entire contract between the parties hereto and that
this written agreement is complete in all its terms and provisions and shall be binding on their respective
representatives, heirs, successors, and assigns.

IN WITNESS WHEREOF, Grantor, if individual(s), ha _____ hereunto set _____ hand _____;
and if corporation, has caused its corporate name and seal to be affixed by its duly authorized officers,
the day first above written.

Signed, Sealed and Delivered in Presence of

ATTEST:

James W. Clark
(James W. Clark) Secretary,
Coverall Rental Service, Inc.

COVERALL RENTAL SERVICE, INC.

Thomas J. Carstens
(Thomas J. Carstens) President

STATE OF INDIANA

County of Allen

SS:

Be it remembered that on the 9th day of September, 1980, before the undersigned, a Notary Public, in and for the County and State aforesaid, personally appeared THOMAS J. CARSTENS, the President of the and JAMES W. CLARK, the Sec. of the, and acknowledged the execution of the foregoing instrument on behalf of said Company, as the voluntary act and deed of said Company for the uses and purposes therein set forth, and said officer, having been duly sworn, swears that the statements contained therein relating to Indiana gross income tax are true.

*retary, respectively, of COVERALL RENTAL SERVICE, INC.,

IN WITNESS WHEREOF, I have hereunto set my hand and seal the day and year first above written.
My Commission Expires

July 22 19 84
Resident of Allen County

Martha E. Long
Martha E. Long Notary Public

STATE OF MICHIGAN,

County of.....

SS:

On This..... day of.....
in the year of our Lord one thousand nine hundred and.....
before me, a in and for said County
appeared..... to me personally
known, who, being by me duly sworn, did..... say that
..... the
of
the corporation named in and which executed the within instrument, and that the seal affixed to said instrument is the corporate seal of said corporation, and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and said
..... acknowledged said instrument to be the
free act and deed of said corporation.

.....
Notary Public, County, Michigan
My commission expires, 19.....

STATE OF INDIANA

..... County

SS:

Before me, a Notary Public in and for said County and State, this day of, 19....., personally appeared the above named
.....
and acknowledged the execution of the within instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and official seal this day and year above written.

.....
Notary Public.

My commission expires, 19.....

STATE OF MICHIGAN

County of.....

SS:

On this day of, 19....., before me personally appeared
.....
to me known to be the person....described in and who executed the within instrument, and acknowledged that executed the same as free act and deed.

....., Notary Public
..... County, Michigan
My commission expires, 19.....

Know All Men, That

of Fort Wayne
Coverall Rental Service, Inc. and Goodwill Industries, Inc.

herein called the "grantors", in consideration of the sum of one dollar (\$1.00) and other valuable considerations in hand paid to the grantors, hereby grant to Northern Indiana Public Service Company, an Indiana corporation, and to its successors and assigns, a right-of-way to lay, install, maintain, operate, repair, replace and renew gas mains and a line or lines of pipe for the transportation and distribution of gas to the public in general, with all necessary and convenient equipment, facilities, service pipes, lines and connections therefor, and to operate by means thereof a system for such transportation and distribution of gas, to be used for light, heat, power and other purposes, in, upon, along and over a

strip of land situated in Section 15, Township 30 North, Range 12 East of the Second Principal Meridian, in the county of Allen, State of Indiana, described as follows:

A rectangular strip of land in the northwest quarter of section fifteen (15), Township 30 North, Range 12 East, of the second principle meridian, being 14.00 feet in width, the southerly line of said strip to be described as follows:

Beginning at the Northwest corner of lot number 3, Hohnhausen's Subdivision, as recorded in book 14, page 29, in the office of the recorder of Allen County, Indiana; thence easterly along the northern line of said parcel, a distance of 275.00 feet, containing 0.09 acres, more or less.

Access to the above described strip of land over the adjoining lands of the grantors is hereby granted. Any pipe line, or lines, shall, at the time of the construction thereof, be buried to such depth as shall not interfere with the cultivation of said premises. Grantee shall replace in a good and workmanlike manner all tile cut in the construction of its line or lines hereunder. Any damage to the crops, fences, or improvements of the grantors on said strip of land, or on the lands of the grantors adjoining said strip of land, done by the grantee in the installation, maintenance, operation, repair, replacement or renewal of said line or lines of pipe and the equipment and facilities connected therewith, shall be promptly paid for by the grantee. The grantee may cut or trim trees, bushes and saplings growing upon or extending over said strip of land so far as may be reasonably necessary in the installation, maintenance, operation, repair, replacement or renewal of said line or lines of pipe and the equipment and facilities connected therewith. Patrolling said line or lines of pipe on foot shall not constitute grounds for a claim for crop damage.

The grantors reserve the use of said strip of land not inconsistent herewith, but no buildings or structures shall be erected or placed on said strip of land by grantors.

The rights herein granted may be assigned in whole or in part.

The grantee shall and will indemnify and save the grantors harmless from and against any and all damage, injuries, losses, claims, demands or costs proximately caused by the fault, culpability, or negligence of the grantee in the installation, maintenance, operation, repair, replacement or renewal of said line or lines of pipe, and the equipment and facilities connected therewith, over and across said strip of land.

~~The undersigned grantors hereby covenant that they are the owners in fee simple of said strip of land, lawfully seized thereof, and have good right to grant and convey said easement herein, and guarantee the quiet possession thereof, that the said strip of land is free from all encumbrances, and that the grantors will warrant and defend the title to said easement against all lawful claims.~~

These presents shall be binding on the heirs, executors, administrators, grantees and assigns of the grantors, and upon the grantee, its successors and assigns.

IN WITNESS WHEREOF, the grantors have duly executed this instrument this 20th day of October, 1980 A.D.

Thomas J. Carsten (SEAL)
Thomas J. Carstens (President)
Coverall Rental Service, Inc. (SEAL)

James W. Clark (SEAL)
James W. Clark (Secretary)

Ralph E. Sheets (SEAL)
Ralph E. Sheets (President)
Goodwill Industries, Inc. (SEAL)
Fort Wayne

Kenneth B. Keller (SEAL)
Kenneth Keller (Secretary)

In consideration of one dollar (\$1.00), the undersigned hereby adopts and joins in the execution of the above and foregoing easement and consents to the enjoyment by grantee therein of the rights granted by said easement.

(SEAL)

STATE OF INDIANA

COUNTY OF _____

SS.

Personally appeared before me the undersigned, a Notary Public in and for said county and state

who acknowledged the execution of the foregoing instrument to be _____ voluntary act and deed.

WITNESS my hand and notarial seal this _____ day of _____, 19____

(SEAL)

My Commission expires _____

Notary Public

STATE OF INDIANA

COUNTY OF Allen

SS.

Personally appeared before me the undersigned, a Notary Public in and for said county and state, Thomas J. Carstens, President, and James W. Clark, Secretary, respectively, of Coverall Rental Service, Inc., and each acknowledged the execution of the foregoing instrument in behalf of said corporation as the voluntary act and deed of ~~who acknowledged the execution of the foregoing instrument to be~~ said corporation and of said officials for the uses and purposes set forth.

WITNESS my hand and notarial seal this 9th day of September, 1980

Martha E. Long (SEAL)
Martha E. Long
Notary Public

My Commission expires July 22, 1984
Resident of Allen County

STATE OF INDIANA

COUNTY OF Allen

SS.

BE IT REMEMBERED that on this 25th day of October, A.D., 1980, before me, a

Notary Public in and for the county and state aforesaid, personally appeared Ralph E. Sheets

President and Kenneth Keller Secretary, respectively
of Goodwill Industries, Inc. of Fort Wayne
and each acknowledged the execution of the above and foregoing instrument in behalf of said corporation as the voluntary act and deed of said corporation and of said officials for said corporation, for the uses and purposes set forth.

WITNESS my hand notarial seal the day and year first above written.

Karen S. Gebhart (SEAL)
Karen S. Gebhart
Notary Public

My Commission expires February 14, 1981
Resident of Allen County

EASEMENT FOR GAS MAINS

FROM

Coverall Rental Service, Inc.

Goodwill Industries, Inc. Grantor,

TO

NORTHERN INDIANA
PUBLIC SERVICE COMPANY

Checked by _____

Date _____

District _____

Contract File No. 33783

Charge Acct. No. _____

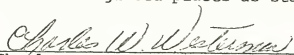
Copies of Bill No. Z-80-09-28 -- Zoning Map Ordinance No. Z-27-80; Bill No. Z-80-09-29 -- Zoning Map Ordinance No. Z-28-80; Bill No. G-79-08-20 -- General Ordinance No. G-23-80 and Bill No. G-80-10-51 -- General Ordinance No. G-24-80, will be available for reading in the following places in Fort Wayne, Allen County, Indiana.

- (1) Reference Room in the north end of the main floor in said Downtown Public Library
- (2) The Journal of the Common Council Proceedings in the Office of the City Clerk of the Fort Wayne, Indiana



Charles W. Westerman
City Clerk

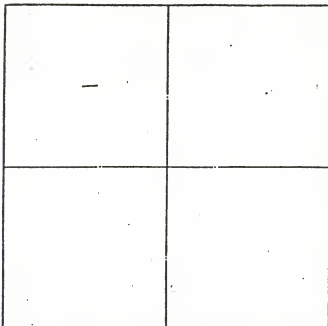
I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on December 12, 1980.



Charles W. Westerman
City Clerk

EASEMENT MAP RECORD

LOCATION PLAT



CONTRACT NO. _____

EASEMENT ~~WATER~~ GAS

~~RECEIVING~~
COVERALL RENTAL SERVICE, INC.
GRANTOR GOODWILL INDUSTRIES, IA

COUNTY ALLEN TWP. WAYNE

TOWN FORT WAYNE RURAL _____

DATE _____ W. O. NO. NONE

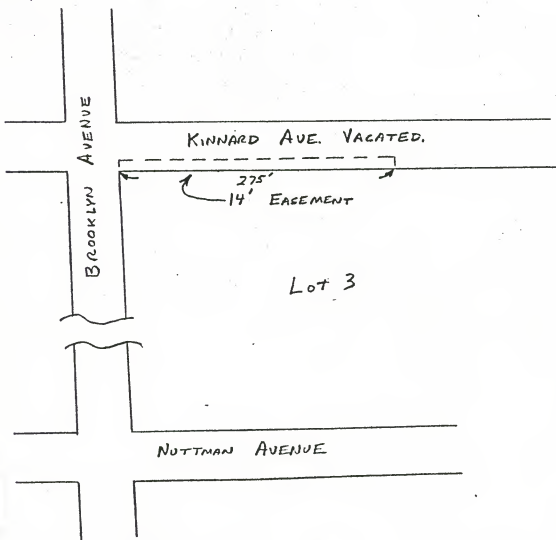
TRANSMISSION _____ SIZE OF MAIN _____

DISTRIBUTION X VOLTAGE _____

NORTHERN INDIANA PUBLIC SERVICE COMPANY

SECTION 15 TOWNSHIP 30 N RANGE 12 E

DETAIL _____



SCALE 1 IN. = _____

City

GRANT OF EASEMENT FOR WATER MAIN

THIS INDENTURE WITNESSETH That the undersigned, COVERALL RENTAL SERVICE, INC. and GOODWILL INDUSTRIES, INC. (hereinafter referred to as the Grantors), in consideration of the sum of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grant and quit claim unto the CITY OF FORT WAYNE (hereinafter referred to as the Grantee), a non-exclusive and perpetual easement and right-of-way to install, construct, operate, control, maintain, reconstruct, and remove and replace, a water main, including any and all valves, meters, hydrants, and all other fixtures or components at any time forming parts of or used in connection therewith, in, under, and along the following described real property located in Section 15, Township 30 North, Range 12 East, in Allen County, Indiana, described as follows:

The north 15 feet of the west 325 feet and the east 15 feet of the west 340 feet of that part of vacated Kinnaird Avenue lying east of Brooklyn Avenue, being more particularly described as follows:

Beginning at the southwest corner of Lot No. 6 in Staley's Subdivision as recorded in Book 14, Page 29, in the Office of the Recorder of Allen County, Indiana; thence extending east along the south line of said Lot No. 6 and the south line of Parcel No. 1 in Hohnhusen's Subdivision to the City of Fort Wayne, as recorded in Plat Book 14, Page 29, in the Office of the Recorder of Allen County, Indiana, a distance of 340 feet; thence south parallel to the east right-of-way line of Brooklyn Avenue a distance of 50 feet to the north line of Lot No. 3 of Hohnhusen's Subdivision; thence west along said north line of Lot No. 3 in Hohnhusen's Subdivision a distance of 15 feet; thence north parallel with the east right-of-way line of Brooklyn Avenue a distance of 35 feet; thence west and parallel with the south line of Lot No. 1 in said Hohnhusen's Subdivision to the east right-of-way line of Brooklyn Avenue, a distance of 325 feet; thence north along said right-of-way line a distance of 15 feet to the point of beginning.

Grantors certify under oath that no Indiana Gross Income Tax is due or payable in respect to the transfer made by this deed.

IN WITNESS WHEREOF, the Grantors have executed this inden-

ture this 20th day of October, 1980.

COVERALL RENTAL SERVICE, INC.

By Thomas J. Carstens
(Thomas J. Carstens) President

ATTEST:

James W. Clark
(James W. Clark) Secretary

GOODWILL INDUSTRIES, INC. OF FORT WAYNE

By Ralph E. Sheets
(Ralph E. Sheets) President

ATTEST:

Kenneth B. Keller
(Kenneth Keller) Secretary

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, a Notary Public in and for said County and State, personally appeared THOMAS J. CARSTENS and JAMES W. CLARK to be known by me to be the persons who as President and Secretary, respectively, of COVERALL RENTAL SERVICE, INC., the corporation which executed the foregoing indenture, signed the same and acknowledged to me that they did so sign the same in the name and on behalf of the said corporation as such officers, respectively, that the same is their free act and deed as such officers, respectively, and the free corporate act and deed of said corporation, and that they were duly authorized thereunto by the Board of Directors of said corporation. In Witness Whereof, I have hereunto set my hand and official seal this 9th day of Sept., 1980.

I am a resident of
Allen County,
Indiana and my com-
mission expires:


February 18, 1983

Larry K. Bailey
Larry K. Bailey Notary Public

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, a Notary Public in and for said County and State, personally appeared RALPH E. SHEETS and KENNETH KELLER, to be known by me to be the persons who as President and Secretary, respectively, of GOODWILL INDUSTRIES/ INC., the corporation which executed the foregoing indenture, signed the same and acknowledged to me that they did so sign the same in the name and on behalf of the said corporation as such officers, respectively, that the same is their free act and deed as such officers, respectively, and the free corporate act and deed of said corporation, and that they were duly authorized thereunto by the Board of Directors of said corporation. In Witness Whereof, I have hereunto set my hand and official seal this 20th day of October, 1980.

I am a resident of
Allen County,
Indiana and my com-
mission expires:


Karen S. Gebhart Notary Public
Karen S. Gebhart

February 14, 1981

This instrument prepared by Charles R. Cogdell of Livingston, Dill-
dine, Haynie & Yoder, 425 Lincoln Tower, Fort Wayne, Indiana 46802.

GRANT OF UTILITY EASEMENT

THIS INDENTURE WITNESSETH That the undersigned, COVERALL RENTAL SERVICE, INC. and GOODWILL INDUSTRIES, INC. ^{OF FORT WAYNE} (hereinafter referred to as the Grantors), in consideration of of the sum of One Dollar and other valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grant, convey and quit claim unto GENERAL TELEPHONE COMPANY OF INDIANA, INC., its successors and assigns (hereinafter referred to as the Grantee), a non-exclusive and perpetual surface easement and right, to install, construct, operate, patrol, maintain, repair, revise, supplement, remove and replace, telecommunications lines, systems and facilities, including, without limitation, all poles, attachments, anchors, wires, cables, and all other fixtures or components at any time forming parts of or used in connection therewith, in, under, along, over and above the following described real estate located in Section 15, Township 30 North, Range 12 East, in Allen County, Indiana, described as follows:

The south 14 feet of the west 340 feet of that part of vacated Kinnaird Avenue lying east of Brooklyn Avenue, being more particularly described as follows:

Beginning at the northwest corner of Lot No. 3, Hohnhausen's Subdivision, as recorded in Plat Book 14, Page 29, in the office of the Recorder of Allen County, Indiana; thence east along the north line of said Lot No. 3 a distance of 340 feet; thence north parallel to the east right-of-way line of Brooklyn Avenue a distance of 14 feet; thence west parallel with said north line of Lot No. 3 a distance of 340 feet to the east right-of-way line of Brooklyn Avenue; thence south along said east right-of-way line to the point of beginning.

The Grantee shall have the right of access to the above-described real estate, over the west 340 feet of that part of vacated Kinnaird Avenue lying east of Brooklyn Avenue, and the right and privilege at any time, and from time to time, to cut and trim trees growing upon or overhanging said real estate, and to clear and remove from said real estate any and all timber, brush, debris, and other obstructions at any time located thereon which, in the Grantee's judgment, should be removed to prevent interference with said telecommunications lines, systems and facilities.

The Grantee shall be responsible and shall compensate the Grantors for any physical damages to the premises or other property of the Grantors, caused either by the original construction of said lines, systems and facilities, or by any subsequent activities of or on behalf of the Grantee in connection with said lines, systems and facilities.

The Grantors warrant that no building or structure will be constructed at any time upon said real estate, except fences, driveways or streets. Grantors covenant to notify Grantee before any construction of any fence, driveway or street, or any change in elevation or grade of the land surface, is begun. In all other respects the Grantors reserve the right to use said real estate in any manner not inconsistent with this grant.

IN WITNESS WHEREOF, the Grantors have executed this indenture this 20th day of October, 1980.

COVERALL RENTAL SERVICE, INC.

By Thomas J. Carstens
(Thomas J. Carstens) President

ATTEST:

James W. Clark
(James W. Clark) Secretary

OF FORT WAYNE
GOODWILL INDUSTRIES, INC.

By Ralph E. Sheets
(Ralph E. Sheets) President

ATTEST:

Kenneth B. Keller
(Kenneth Keller) Secretary

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, a Notary Public in and for said County and State, personally appeared THOMAS J. CARSTENS and JAMES W. CLARK to be known by me to be the persons who as President and Secretary, respectively, of COVERALL RENTAL SERVICE, INC., the corporation which executed the foregoing indenture, signed the same and acknowledged to me that they did so sign the same in the name and on behalf of the said corporation as such officers, respectively, that the same is their free act and deed as such officers, respectively, and the free corporate act and deed of said corporation, and that they were duly authorized thereunto by the Board of Directors of said corporation. In Witness Whereof, I have hereunto set my hand and official seal this 9th day of Sept., 1980.

I am a resident of
Allen County,
Indiana and my com-
mission expires:

February 18, 1983

Larry K. Bailey
Larry K. Bailey Notary Public

GRANT OF SEWER EASEMENT

City

THIS INDENTURE WITNESSETH That the undersigned, COVERALL RENTAL SERVICE, INC. and GOODWILL INDUSTRIES, INC. (hereinafter referred to as the "Grantors"), in consideration of One Dollar (\$1.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, hereby grant and quit claim unto the CITY OF FORT WAYNE (hereinafter referred to as the "Grantee"), a non-exclusive and perpetual easement and right-of-way to construct, operate, control, maintain, reconstruct, and remove a sewer line, in, under, along and across the following-described real property located in Allen County, State of Indiana, to-wit:

PERMANENT EASEMENT:

A fourteen (14) foot easement being seven (7) feet on each side of the following described line:

Commencing along the east right-of-way line of Brooklyn Avenue at a point twenty-eight (28) feet south of the southwest corner of Lot No. 6 in Staley's Subdivision, as recorded in Book 14, Page 29, in the Office of the Recorder of Allen County, Indiana; thence east and parallel to the north right-of-way line of Kinnaird Avenue to the west right-of-way line of Vesey Avenue.

Grantors certify under oath that no Indiana Gross Income Tax is due or payable in respect to the transfer made by this deed.

IN WITNESS WHEREOF, the Grantors have executed this Indenture this 20th day of October, 1980.

COVERALL RENTAL SERVICE, INC.

By Thomas J. Earstens
(Thomas J. Earstens) President

ATTEST:

James W. Clark
(James W. Clark) Secretary

GOODWILL INDUSTRIES, INC. OF FORT WAYNE

By Ralph E. Sheets
(Ralph E. Sheets) President

ATTEST:

Kenneth B. Keller
(Kenneth Keller) Secretary

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, a Notary Public in and for said County and State, personally appeared THOMAS J. CARSTENS AND JAMES W. CLARK to be known by me to be the persons who as President and Secretary, respectively, of COVERALL RENTAL SERVICE, INC., the corporation which executed the foregoing indenture, signed the same and acknowledged to me that they did so sign the same in the name and on behalf of the said corporation as such officers, respectively, that the same is their free act and deed as such officers, respectively, and the free corporate act and deed of said corporation, and that they were duly authorized thereunto by the Board of Directors of said corporation. In Witness Whereof, I have hereunto set my hand and official seal this 9th day of Sept., 1980.

I am a resident of
Allen County,
Indiana and my com-
mission expires:

February 18, 1983

Larry K. Bailey
Larry K. Bailey, Notary Public

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, a Notary Public in and for said County and State, personally appeared RALPH E. SHEETS and KENNETH KELLER, to be known by me to be the persons who as President and Secretary, respectively, of GOODWILL INDUSTRIES, INC., the corporation which executed the foregoing indenture, signed the same and acknowledged to me that they did so sign the same in the name and on behalf of the said corporation as such officers, respectively, that the same is their free act and deed as such officers, respectively, and the free corporate act and deed of said corporation, and that they were duly authorized thereunto by the Board of Directors of said corporation. In Witness Whereof, I have hereunto set my hand and official seal this 20th day of October, 1980.

I am a resident of
Allen County,
Indiana and my com-
mission expires:
February 14, 1981

Karen S. Gebhart
Karen S. Gebhart, Notary Public

This instrument prepared by Charles R. Cogdell of Livingston, Dill-
dine, Haynie & Yoder, 425 Lincoln Tower, Fort Wayne, Indiana 46802.

STATE OF INDIANA)
) SS:
COUNTY OF ALLEN)

Before me, a Notary Public in and for said County and State, personally appeared RALPH E. SHEETS and KENNETH KELLER, to be known by me to be the persons who as President and Secretary, respectively, of GOODWILL INDUSTRIES, INC., the corporation which executed the foregoing indenture, signed the same and acknowledged to me that they did so sign the same in the name and on behalf of the said corporation as such officers, respectively, that the same is their free act and deed as such officers, respectively, and the free corporate act and deed of said corporation, and that they were duly authorized thereunto by the Board of Directors of said corporation. In Witness Whereof, I have hereunto set my hand and official seal this 20th day of October, 1980.

I am a resident of
Allen County,
Indiana and my com-
mission expires:

February 14, 1981


Karen S. Gebhart Notary Public

This instrument prepared by Charles R. Cogdell of Livingston, Dill-
dine, Haynie & Yoder, 425 Lincoln Tower, Fort Wayne, Indiana 46802.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

30 October 1980

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Schmidt:

Attached hereto is a copy of a resolution pertaining to one (1) street vacation ordinance acted upon by the City Plan Commission at their regular meeting held October 27, 1980. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. BILL NO. G-79-08-20
2. Intended Use: Vacated right-of-way will be utilized by the abutting property owners.
3. Plan Commission Recommendation: DO PASS with condition.
 1. Subject to dedication of all necessary utility easements.

NOTE: All easements required have been received and a copy is attached to the original ordinance as well as on file in the Plan Commission office.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

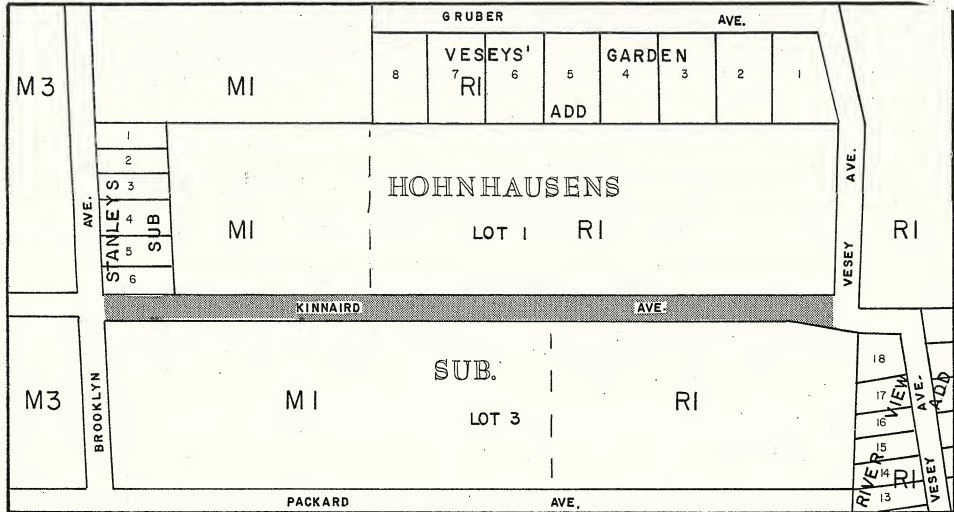
COMMUNITY DEVELOPMENT & PLANNING

A handwritten signature in cursive script, reading "Gary F. Baeten", followed by a circled "PB" monogram.

Gary F. Baeten
Senior Planner

GFB:pb

Attachments



STREET TO BE VACATED

6-79-08-20



PETITION FOR VACATION OF STREET

TO: Board of Public Works
of the City of Fort Wayne

January 17, 1979

Plan Commission of the
City of Fort Wayne

Common Council of the
City of Fort Wayne



Gentlemen:

Coverall Rental Service, Inc., owner of real estate in the City of Fort Wayne, Allen County, Indiana, described as follows:

Parcels numbered 1 and 3 of Hohnhausen's Subdivision of part of the northwest fractional quarter of Section 15, Township 30 North, Range 12 East, according to the plat thereof recorded in Plat Book 14, page 29, EXCEPT the west 756 feet of said Parcel No. 1, which was conveyed to George O. Staley and Blanche E. Staley, husband and wife, by Wilhelmina Anna Crawford and Roy Crawford, husband and wife, by deed dated April 6, 1940 and recorded April 8, 1940 in Deed Record 364, page 177,

constituting real estate abutting on the entire south side and the east 755.3 feet of the north side of the street herein sought to be vacated, respectfully petitions and requests that:

1. The Board of Public Works of the City of Fort Wayne pass a resolution providing for the vacation of that portion of Kinnaird Avenue between the east right-of-way line of Brooklyn Avenue and the west right-of-way line of Vesey Avenue within the City of Fort Wayne, Allen County, Indiana, more particularly described as follows, to-wit:

Beginning at the northwest corner of Parcel No. 3 of Hohnhausen's Subdivision of part of the northwest fractional quarter of Section 15, Township 30 North, Range 12 East,

Board of Public Works
of the City of Fort Wayne
Plan Commission of the
City of Fort Wayne
Common Council of the
City of Fort Wayne
January 17, 1979
Page 2

according to the plat thereof recorded in Plat Book 14, Page 29; thence north along the east right-of-way line of Brooklyn Avenue a distance of 50 feet to the south-west corner of Lot No. 6 in Staley's Subdivision, according to the recorded plat thereof, thence east along the south line of said Lot No. 6 and the south line of Parcel 1 of said Hohnhausen's Subdivision to the southeast corner of said Parcel No. 1; thence south along the west right-of-way line of Vesey Avenue a distance of 77.6 feet to a point on the north line of said Parcel No. 3; thence northwesterly and westerly along said north line of said Parcel to the point of beginning,

all in accordance with the terms of I.C. §18-1-6-15, and other provisions of the Indiana statute relating thereto.

2. The Fort Wayne City Plan Commission hold a public hearing upon the vacation of said street as hereinabove described in accordance with the terms of I.C. §18-7-5-46.

3. Upon determination that the vacation of said street hereinabove described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana, the Fort Wayne City Plan Commission approve the vacation of said street hereinabove described pursuant to the provisions of the aforementioned statute.

4. The Common Council of the City of Fort Wayne enact an ordinance to amend the thoroughfare plan as set forth in General Ordinance No. G-97 adopted by the Common Council on November 26, 1963, by authorizing the vacation of said street hereinabove described in accordance with the terms of I.C.

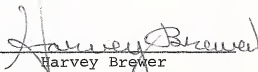
Board of Public Works
of the City of Fort Wayne
Plan Commission of the
City of Fort Wayne
Common Council of the
City of Fort Wayne
January 17, 1979
Page 3

§18-7-5-44, I.C. §18-7-5-46 and provision of any other Indiana statutes pertaining thereto.

Respectfully submitted,

COVERALL RENTAL SERVICE, INC.

By


Harvey Brewer
President and General Manager

Charles R. Cogdell
LIVINGSTON, DILDINE,
HAYNIE & YODER
425 Lincoln Bank Tower
Fort Wayne, Indiana 46802
Attorneys for Petitioner

4556

Admn. Appr. _____

DIGEST SHEET

TITLE OF ORDINANCE Street Vacation Ordinance

2-79-08-20

DEPARTMENT REQUESTING ORDINANCE Long Range Planning & Zoning - CD&PSYNOPSIS OF ORDINANCE Kinnaird Street - Between Vesey and Brooklyn Avenues.

EFFECT OF PASSAGE Property is now public right-of-way. Property will revert
to adjacent property owners and be closed for public right-of-way.

EFFECT OF NON-PASSAGE Property will remain public right-of-way.

MONEY INVOLVED (Direct Costs, Expenditures, Savings) _____

(ASSIGN TO COMMITTEE (J.N.) Regulations

LEGAL NOTICE

Notice is hereby given that on the 25th day of November, 1980, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. Z-80-09-28 -- Zoning Map Ordinance No. Z-27-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-26, N-26, M-30 & N-30.

Notice is hereby given that on the 25th day of November, 1980, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-80-09-29 -- Zoning Map Ordinance No. Z-28-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. R-14 & R-18

Notice is hereby given that on the 25th day of November, 1980, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. G-79-08-20 -- General Ordinance No. G-23-80, being AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Kinnaird Street

Notice is hereby given that on the 25th day of November, 1980, the Common Council of the City of Fort Wayne, Indiana in Regular Session did pass the following Bill No. G-80-10-51 -- General Ordinance No. G-24-80, being AN ORDINANCE amending certain Schedules of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-80-09-28 -- Zoning Map Ordinance No. Z-27-80; Bill No. Z-80-09-29 -- Zoning Map Ordinance No. Z-28-80; Bill No. G-79-08-20 -- General Ordinance No. G-23-80 and Bill No. G-80-10-51 -- General Ordinance No. G-24-80, were passed by the Common Council on the 25th day of November, 1980, said Ordinances were signed and approved by the Mayor on the 4th day of December, 1980, and now remains on file and on record in my office.

Copies of Bill No. Z-80-09-28 -- Zoning Map Ordinance No. Z-27-80; Bill No. Z-80-09-29 -- Zoning Map Ordinance No. Z-28-80; Bill No. G-79-08-20 -- General Ordinance No. G-23-80 and Bill No. G-80-10-51 -- General Ordinance No. G-24-80, will be posted for reading in the following places in Fort Wayne, Allen County, Indiana.

- (1) The main floor lobby of the City-County Building
- (2) The bulletin board in the lobby of Downtown Fort Wayne Public Library
- (3) The bulletin board in the lobby at the East door of the Allen County Court House

Fort Wayne Common Council

(Governmental Unit)

To JOURNAL-GAZETTE

Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

94

2

96

COMPUTATION OF CHARGES

96 lines, 1 columns wide equals 96 equivalent lines at .253¢ cents per line \$ 24.29

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 12 extra

6.00

\$ 30.29

STATEMENT OF CLAIM.

DATE

Notice is hereby given that on the 25th day of November, 1980, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-80-09-28 - Zoning Map Ordinance No. Z-27-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-28, N-28, M-30 & N-30.

Notice is hereby given that on the 25th day of November, 1980, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-80-09-28 - Zoning Map Ordinance No. Z-27-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. R-14 & R-18.

PURS

Notice is hereby given that on the 25th day of November, 1980, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. G-23-80, being AN ORDINANCE amending General Ordinance No. G-97 by authorizing the vacation of a portion of Kincaid Street.

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Notice is hereby given that on the 25th day of November, 1980, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. G-80-10-51 - General Ordinance No. G-24-80, being AN ORDINANCE amending certain Schedules of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974.

DATE

I, Charles W. Westernman, Clerk of the City of Fort Wayne, Indiana do hereby certify that Bill No. Z-80-09-28 - Zoning Map Ordinance No. Z-27-80; Bill No. Z-80-09-28 - Zoning Map Ordinance No. Z-27-80; Bill No. Z-80-09-28 - Zoning Map Ordinance No. Z-27-80; Bill No. G-23-80, were passed by the Common Council of the City of Fort Wayne, Indiana, on the 25th day of November, 1980, said Ordinances were signed and approved by the Mayor on the 4th day of December, 1980, and now remains on file and on record in my office.

Copies of Bill No. Z-80-09-28 - Zoning Map Ordinance No. Z-27-80; Bill No. Z-80-09-28 - Zoning Map Ordinance No. Z-27-80; Bill No. G-23-80, will be posted for reading in the following places in Fort Wayne, Allen County, Indiana.

(1) The main floor lobby of the City-County Building

(2) The bulletin board in the lobby of Downtown Fort Wayne Public Library

(3) The bulletin board in the lobby at the East door of the Allen County Court House.

Copies of Bill No. Z-80-09-28 - Zoning Map Ordinance No. Z-27-80; Bill No. Z-80-09-28 - Zoning Map Ordinance No. Z-27-80; Bill No. G-23-80, will be available for reading in the following places in Fort Wayne, Allen County, Indiana.

(1) Reference Room in the north end of the main floor in said Downtown Public Library.

(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of the Fort Wayne, Indiana.

Charles W. Westernman City Clerk

n 9.6 picas

Size of type 6 point

2

Size of quad upon which type is cast 6

of Ch. 89., Acts 1967.

Amount is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Arville D. Tald

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned, ARVILLE DEWALD, who, being duly sworn, says

that she is, CLERK, of the

JOURNAL-GAZETTE

a, DAILY, newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

12/12 - 12/19/80

Subscribed and sworn to before me this 19th day of December, 1980

My commission expires September 28, 1983

Notary Public

Fort Wayne Common Council

(Governmental Unit)

To.....JOURNAL-GAZETTE.....Dr

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines _____

Head number of lines _____

Body number of lines _____ 94

Tail number of lines _____ 2

Total number of lines in notice _____ 96

COMPUTATION OF CHARGES

96 lines, 1 columns wide equals 96 equivalent lines at .253¢ \$ 24.29

cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount) _____

Charge for extra proofs of publication (50 cents for each proof in excess of two) 12 extra 6.00

TOTAL AMOUNT OF CLAIM. \$ 30.29

DATA FOR COMPUTING COST

Width of single column 9.6 picas Size of type 6 point

Number of insertions 2 Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date Dec. 19 80

Title.....CLERK.....

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned, ARVILLA DEWALD, who, being duly sworn, says that she is, CLERK

JOURNAL-GAZETTE

a. DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town

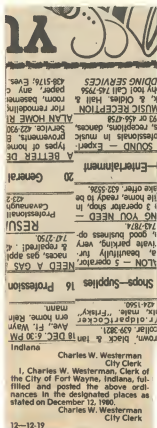
in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows:

12/12 - 12/19/80

Subscribed and sworn to before me this 19th day of December, 80

My commission expires September 28, 1983

Notary Public



Fort Wayne Common Council

(Governmental Unit)

To... NEWS-SENTINEL Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

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NT OF CLAIM.

\$ 30.29

DATA

Notice is hereby given that on the 25th day of November, 1980, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. Z-80-09-28 - Zoning Map Ordinance No. Z-27-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-36, N-26, M-20 & N-30.

9.6 picas

Size of type 6 point

2

Size of quad upon which type is cast 6

Pursue

Notice is hereby given that on the 25th day of November, 1980, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. G-23-80, being AN ORDINANCE amending General Ordinance No. G-23-80, authorizing the vacation of a portion of Kinnaird Street.

of Ch. 89., Acts 1967.

I heret

Notice is hereby given that on the 25th day of November, 1980, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. G-24-80, being AN ORDINANCE amending certain Schedules of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974.

nt is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Date

Notice is hereby given that on the 25th day of November, 1980, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. G-24-80, being AN ORDINANCE amending certain Schedules of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974.

Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned, **D. ROOSE** who, being duly sworn, says that she is, **CLERK** of the

NEWS-SENTINEL

DAILY

a newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **two times** the dates of publication being as follows:

12/12 - 12/19/80

Subscribed and sworn to before me this 19th day of December 19 80

September 28, 1983

My commission expires

Notice is hereby given that on the 25th day of November, 1980, the Common Council of the City of Fort Wayne, Indiana, in Regular Session did pass the following Bill No. G-24-80, being AN ORDINANCE amending certain Schedules of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974.

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that Bill No. Z-80-09-28 - Zoning Map Ordinance No. Z-27-80, being AN ORDINANCE amending the City of Fort Wayne Zoning Map No. M-36, N-26, M-20 & N-30, was passed by the Common Council on the 25th day of November, 1980, said Ordinances were signed and approved by the Mayor on the 4th day of December, 1980, and now remains on file and on record in my office.

Copies of Bill No. Z-80-09-28 - Zoning Map Ordinance No. Z-27-80; Bill No. Z-80-09-29 - Zoning Map Ordinance No. Z-28-80; Bill No. G-23-80 - General Ordinance No. G-23-80; and Bill No. G-24-80 - General Ordinance No. G-24-80, will be posted for reading in the following places in Fort Wayne, Allen County, Indiana:

(1) The main floor lobby of the City-County Building.

(2) The bulletin board in the lobby of Downtown Fort Wayne Public Library.

(3) The bulletin board in the lobby at the East door of the Allen County Court House.

Copies of Bill No. Z-80-09-28 - Zoning Map Ordinance No. Z-27-80; Bill No. Z-80-09-29 - Zoning Map Ordinance No. Z-28-80; Bill No. G-23-80 - General Ordinance No. G-23-80; and Bill No. G-24-80 - General Ordinance No. G-24-80, will be available for reading in the following places in Fort Wayne, Allen County, Indiana:

(1) Reference Room in the north end of the main floor in the Downtown Public Library.

(2) The Journal of the Common Council Proceedings in the Office of the City Clerk of the Fort Wayne, Indiana.

Charles W. Westerman
City Clerk

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, fulfilled and posted the above ordinances in the designated places as stated on December 12, 1980.

Charles W. Westerman
City Clerk

Fort Wayne Common Council

(Governmental Unit)

To NEWS-SENTINEL Dr.Allen

County, Ind.

FORT WAYNE, INDIANA**PUBLISHER'S CLAIM****LINE COUNT**

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Total number of lines in notice

94296**COMPUTATION OF CHARGES**

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Charge for extra proofs of publication (50 cents for each proof in excess of two) 12 extra \$ 6.00TOTAL AMOUNT OF CLAIM. \$ 30.29**DATA FOR COMPUTING COST**Width of single column 9.6 picasSize of type 6 pointNumber of insertions 2Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

D. RooseDate Dec. 19 19 80Title CLERK**PUBLISHER'S AFFIDAVIT**State of Indiana
ALLEN County SS:Personally appeared before me, a notary public in and for said county and state, the undersigned D. Roose who, being duly sworn, says that she is CLERK of theNEWS-SENTINEL
DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA townin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows: 12/12 - 12/19/80Subscribed and sworn to before me this 19th day of December 19 80My commission expires September 28, 1983 Notary Public Harry J. [Signature]